S.B.CRIMINAL MISC. BAIL APPLICATION NO.4812/2006

Date : 06.11.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. Sandeep Mehta for the applicant.
Mr. V.R. Mehta, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

After hearing learned counsel for the applicant and taking into consideration the statement of the prosecutrix wherein allegations are made to the effect that she was forcibly taken on motorcycle and thereafter she was subjected to rape,therefore, I do not feel inclined to grant benefit of bail to the applicant at this stage. Accordingly, the bail application moved by the applicant under Section 439 Cr.P.C. stands rejected. However, it is observed that the learned trial court shall expedite the trial and first of all record statement of the prosecutrix. After recording of the statement of the prosecutrix, the applicant shall be free to move regular bail application before the learned trial court

and in case any such application is moved, then, learned trial court shall decide the same in accordance with law.

(SATYA PRAKASH PATHAK), J.

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